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12 *Attorneys for Plaintiff, DAVID MCDONALD,*
13 *on behalf of himself and all others similarly situated*

14 *Attorneys for Defendants on following page.*

15
16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

18 DAVID MCDONALD, on behalf of himself
and all others similarly situated,

19 Plaintiff,

20 v.
21

22 CP OPCO, LLC, dba CLASSIC PARTY
RENTALS; INSPIRITY PEO SERVICES, L.P;
23 APOLLO GLOBAL MANAGEMENT, LLC;
APOLLO CENTRE STREET PARTNERSHIP,
24 L.P.; APOLLO FRANKLIN PARTNERSHIP,
L.P.; APOLLO CREDIT OPPORTUNITY
25 FUND III AIV I LP; APOLLO SK STRATEGIC
INVESTMENTS, L.P.; APOLLO SPECIAL
26 OPPORTUNITIES MANAGED ACCOUNT,
L.P.; APOLLO ZEUS STRATEGIC
27 INVESTMENTS, L.P.; and DOES 1-20,

28 Defendants.

Case No: 4:17-cv-04915-HSG

**STIPULATION AND ORDER RE
EXTENSION OF BRIEFING
SCHEDULE RE: INSPIRITY'S
MOTION FOR JUDGMENT ON THE
PLEADINGS**

Complaint Filed: 8-24-2017
Trial Date: None Set

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15 *Attorneys for Defendant, INSPERITY PEO SERVICES, L.P.*
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1 Plaintiff DAVID MCDONALD (hereinafter "Plaintiff") and Defendant INSPERITY
2 PEO SERVICES, L.P. (hereinafter "Insperity" and with Plaintiff, the "Parties") hereby stipulate
3 as follows, pursuant to Rule 6-2 of the Local Rules of this Court.
4

5 WHEREAS, on March 28, 2018, Insperity filed its Notice of Motion and Motion for
6 Judgment on the Pleadings;

7 WHEREAS, Plaintiff is scheduled to file his Opposition on April 11, 2018;

8 WHEREAS, Insperity is scheduled to file its Reply to Plaintiff's Opposition on April 18,
9 2018;

10 WHEREAS, the hearing date for Insperity's Motion is June 28, 2018

11 WHEREAS, due to prior scheduling commitments for counsel of Plaintiff in this and
12 other matters, Plaintiff needs more time to address issues raised in Insperity's Motion;

13 WHEREAS, the Parties agree to extend the time for Plaintiff to file its Opposition to
14 April 26, 2018;

15 WHEREAS, the Parties agree to extend the time for Insperity to file its Reply to May 10,
16 2018;

17 WHEREAS, such extensions will not affect the June 28, 2018 hearing date;

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1 NOW THEREFORE, the Parties stipulate that the time for Plaintiff to file his Opposition
2 should be extended from April 11, 2018 to April 26, 2018, and the time for Insperity to file its
3 Reply to Plaintiff's Opposition should be extended from April 18, 2018 to May 10, 2018.

4 **IT IS SO STIPULATED.**

5 Dated: 4/05/2018

Respectfully submitted,
RUDY, EXELROD, ZIEFF & LOWE, L.L.P.

6 By: /s/ John Mullan

7 JOHN T. MULLAN
8 MICHELLE G. LEE
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Attorneys for Plaintiff
DAVID MCDONALD, on behalf of himself and all others
similarly situated

14 Dated: 4/05/2018

Respectfully submitted,
FISHER & PHILLIPS LLP

16 By: /s/ Christopher M. Ahearn

17 CHRISTOPHER M. AHEARN
18 JOHN M. POLSON
19 MARK J. JACOBS,

Attorneys for Defendant
INSPERITY PEO SERVICES, L.P

21 Attestation of Consent to File


22 Pursuant to Rule 5-1(i)(3) of the local rules of this Court, I, John T. Mullan, hereby attest
23 that I obtained concurrence in the filing of this document from each of the other signatories listed
24 above.

25 By: /s/ John T. Mullan

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 5, 2018


Hon. Haywood S. Gilliam, Jr.
United States District Court Judge